

Remarks

By this amendment, claims 1, 17, 19-26, and 29 have been amended. Claims 16 and 18 have been cancelled without prejudice or disclaimer. Therefore, claims 1-15, 17, and 19-33 are pending. Support for the instant amendments is provided throughout the as-filed application. Thus, it is believed no new matter has been added. In view of the following comments, allowance of all the claims pending in the application is respectfully requested.

Claims 1, 2, 4, 5, 7, 10-13, 16, 17, 19, 20, 24-28, 30, 32 and 33 were rejected under 35 U.S.C. §102(e) as allegedly being unpatentable over PCT patent application publication no. WO 01/95410 to Andelman et al. ("Andelman"). Applicant traverses.

Applicant respectfully submits that the cited portions of Andelman fail to disclose or teach a flow-through capacitor system comprising a plurality of flow-through capacitor cells, each of said plurality of cells in electrical communication with one charge cycle sequence controller wherein the system is constructed and arranged so that the charge sequence controller individually controls charging of each of said plurality of cells, wherein individual flow-through capacitor cells, or groups of cells, are controlled in a timed sequence and charge cycles between individual flow-through capacitor cells are either asynchronous or out of phase by at least one quarter second so as to reduce the power requirement for a power supply for the system, as recited in claim 1.

The cited portions of Andelman may disclose an electric control circuit to monitor and control the voltage of a flow-through capacitor, however it does not appear that the cited portions of Andelman disclose an electric control circuit that controls flow-through capacitor cells in a timed sequence and wherein charge cycles between flow-through capacitor cells are

asynchronous or out of phase by at least one quarter second so as to reduce the power requirement for a power supply for the system. An advantage of the invention of claim 1 may be that peak power may be reduced and a reduced power supply may be used. See, e.g., page 11, line 16 to page 12, line 4.

Claims 2, 4, 5, 7, 10-13, 17, 19, 20, 24-28, 30, 32 and 33 depend from claim 1 and therefore are allowable over the cited portions of Andelman for the reasons noted above with respect to claim 1, as well as for the features they recite individually. Claim 16 has been cancelled and so its rejection is moot.

For at least these reasons, the rejection of claims 1, 2, 4, 5, 7, 10-13, 17, 19, 20, 24-28, 30, 32 and 33 should be withdrawn.

Claims 3, 6, 15, 18, 21-23, 29 and 31 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Andelman in view of U.S. patent application publication no. 2002/0167782 to Andelman et al. ("Andelman '782"). Applicant traverses.

For reasons set out above, the cited portions of Andelman fail to disclose or teach claim 1.

Even assuming arguendo that the cited portions of Andelman and Andelman '782 are properly combinable (which Applicant does not concede), the cited portions of Andelman '782 fail to overcome the deficiencies of the cited portions of Andelman. For example, the cited portions of Andelman '782 do not appear to disclose or teach a flow-through capacitor system comprising a plurality of flow-through capacitor cells, each of said plurality of cells in electrical communication with one charge cycle sequence controller wherein the system is constructed and arranged so that the charge sequence controller individually controls charging of each of said plurality of cells, wherein individual flow-through capacitor cells, or groups of cells, are

controlled in a timed sequence and charge cycles between individual flow-through capacitor cells are either asynchronous or out of phase by at least one quarter second so as to reduce the power requirement for a power supply for the system, as recited in claim 1.

Claims 3, 6, 15, 21-23, 29 and 31 depend from claim 1 and therefore are allowable over the cited portions of Andelman and Andelman '782 for the reasons noted above, as well as for the features they recite individually. Claim 18 has been cancelled and so its rejection is moot.

For at least these reasons, the rejection of claims 3, 6, 15, 18, 21-23, 29 and 31 should be withdrawn.

Claims 8, 9 and 14 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Andelman. Applicant traverses.

For reasons set out above, the cited portions of Andelman fail to disclose or teach claim 1. Claims 8, 9 and 14 depend from claim 1 and therefore are allowable over the cited portions of Andelman for the reasons noted above with respect to claim 1, as well as for the features they recite individually.

For at least these reasons, the rejection of claims 8, 9 and 14 should be withdrawn.

Conclusion

Having addressed each of the foregoing objections and rejections, it is respectfully submitted that a full and complete response has been made to the outstanding Office Action and, as such, the application is in condition for allowance. Notice to that effect is respectfully requested.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

If an extension of time is necessary to prevent abandonment of this application, then such an extension of time is hereby petitioned for under 37 C.F.R. §1.136(a). Any fees required (including fees for net addition of claims) are hereby authorized to be charged to our Deposit Account No. 033975 (Ref. No. 090073-0379336).

Date: December 22, 2010

Respectfully submitted,

By: 

Jean-Paul G. Hoffman
Registration No. 42,663

Direct: (703) 770-7794
Main: (703) 770-7900
Fax: (703) 770-7901

Pillsbury Winthrop Shaw Pittman LLP
P.O. Box 10500
McLean, Virginia 22102